IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

WP(Crl.).No. 38 of 2007(S)

PETITIONER:

ANISH K.P., S/O. LATE SHRI PURUSHAN,
THIRUVATHIRA, MATTATHUPARAMBU, NADAMA VILLAGE,
EROOR, TRIPUNITHURA.

BY ADV. SMT.AYSHA YOUSEFF
SMT.MOLLY JACOB

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE,
HILL PALACE POLICE STATION, TRIPUNITHURA,
ERNAKULAM.

2. COMMISSIONER OF POLICE, KOCHI CITY.

3. SHAIJU M.,
EATTYMOOTTIL HOUSE, KUMMANNOOR P.O.,
KONNI, PATHANAMTHITTA.

BY GOVERNMENT PLEADER SRI. BASANT BALAJI
SRI.C.S.MANILAL FOR R3.

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(Crl.).No. 38 of 2007(S)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF CERTIFICATE OF MARRIAGE ISSUED BY THE MARRIAGE OFFICER, KOTTAYAM DIST.

EXT.P2: COPY OF POLICE COMPLAINT DTD 14.2.2007 TO THE 1ST RESPONDENT.

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BKN // TRUE COPY//

P.A. TO JUDGE.

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(Crl).NO. 38 OF 2007

Dated this the 3rd day of April, 2007.

JUDGMENT

Koshy, J.

Alleged detenue was present. She stated that she is not under illegal custody. Due to harassment by her husband, she went her brother's house and she is living there. The allegation harassment was denied by the petitioner. Remedy of the petitioner lies in the family Court. Since she is not under illegal custody, this Writ Petition (Habeas Corpus) is dismissed without prejudice to the right of the parties to approach Family Court.

J.B.KOSHY, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

bkn